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In re Application of :
MUHAKOSO et al. :
Serial No.: 10/594,161 :
PCT No.: PCT/JP06/307703 :
Int. Filing Date: 12 April 2006 : DECISION
Priority Date: 14 April 2005 :
Atty. Docket No.: MAT-8897US :
For: PLASMA DISPLAY PANEL :

This is a decision on applicant's "Petition under 37 CFR 1.182 For Correction of Filing Date" filed in the United States Patent and Trademark Office (USPTO) on 23 June 2010 in the above referenced application. It is also responsive to applicant's "Request to Correct Filing Receipt" filed 17 July 2008. Applicant requests issuance of a new Notification of Acceptance under 35 U.S.C. 371.

BACKGROUND

On 26 September 2006, prior to the thirty month deadline for filing a national stage application, applicant filed a transmittal requesting entry into national stage under 35 U.S.C. 371 along with the basic national filing fee and a declaration executed by the inventors. The thirty month deadline for filing the national stage application would not expire until midnight on 14 October 2007.

On 25 June 2008, a Notification of Acceptance was mailed to applicant indicating that applicant had fulfilled all the requirements of 35 U.S.C. 371 on 14 October 2007 and indicating a 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date of 26 October 2006.

DISCUSSION

A review of the application file reveals that as required by 35 U.S.C. 371(c)(4), a declaration, in compliance with 37 CFR 1.497(a) and (b) was submitted on 26 September 2006. The date of completion of all 35 U.S.C. 371 requirements includes fulfillment of subsection (b), which states that the national stage shall commence with the expiration of the time limit under PCT Article 22(a) or 39(1)(a) of the PCT Treaty. The date of completion of all requirements of 35 U.S.C. 371 is 14 October 2007. The Notification of Acceptance (Form PCT/DO/EO/903) issued on 25 June 2008 which indicated this date as 14 October 2007 is correct; however, the

date applicant fulfilled all the requirements of 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) is 26 September 2006, not 26 October 2006 as indicated on the Notification. Thus the Notification of Acceptance is hereby **VACATED**.

CONCLUSION

The Notification of Acceptance (Form PCT/DO/EO/903) issued on 25 June 2008 is **VACATED**.

A new Notification of Acceptance will be issued indicating that applicant had fulfilled all the requirements of 35 U.S.C. 371 on 14 October 2007 and 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) requirements on 26 September 2006. A Corrected Filing Receipt will also be issued per applicant's request.

The application will be forwarded to the United States Designated/Elected Office for further processing including the issuance of a corrected Notification of Acceptance and Filing Receipt in accord with this decision.

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